

95-59

G A P

July 14, 1995

The Honorable Reed E. Hundt  
Chairman  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20554

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Dear Chairman Hundt:

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

It is our understanding that at this time the FCC is asking for the public opinion on the proposed rulemaking pertaining to "Preemption of local zoning regulation of satellite earth stations." While it is most important to Gap Inc. that the rules of the local municipalities are met and respected pertaining to the installation to VSAT, Gap Inc. would like to express our opinion regarding the use of the VSAT technology within our corporation.

Gap Inc. is using a VSAT antenna that averages 1.0 meters in size. This satellite technology is considered a major innovation enabling us to vastly improve the way in which we conduct business within our store environment, and this technology is strategically important to our store operations. The network offers a faster response time for point of sale transactions, thus improving our customer service. Additionally, at corporate we can retrieve sales information in a more reliable, and effective manner. To remain competitive in the nineties, the VSAT technology is important to our company as our 1500 plus stores are geographically dispersed throughout the United States, Canada, and Europe.

Our experience is that from municipality to municipality the rules change from extremely stringent to rather reasonable, as do the costs. In many instances, this becomes not only extremely time consuming due to the number of "nit-picky" requirements, but also prohibitively expensive depending on the geographic location. For the Gap Inc. to gain the complete benefit from the VSAT technology and in order not to jeopardize our business, it is imperative that the time spent installing VSATs in all of our remote locations is kept to a minimum. Additionally, to remain competitive there should not be any substantial costs associated with installing an antenna that is less than 2.0 meters in diameter.

We are asking the FCC when considering its rulemaking to implement guidelines that will ensure the safety of citizens, and environment as well as the aesthetics of such installations. Furthermore, as a corporation we would also like to be assured that the costs to install will not be unreasonable, or that the rules imposed by the various local municipalities be thorough and fair. It is our request that the FCC adopt the proposed rulemaking as outlined in the FCC 95-180 (IB docket number 95-59, DA 91-577, 45-DSS-MISC-93).

In closing please accept our gratitude to you and the other members of the FCC for taking into consideration our opinion.

Sincerely,



Jennifer K. Pais  
Manager - Satellite Communications  
Gap Inc.

CC: James H. Quello - FCC  
Andrew C. Barnett - FCC  
Susan Ness - FCC  
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# BUILDERS SQUARE®

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

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Dear Sir:

I would like to take this opportunity to comment on the recently issued Notice of Proposed Rulemaking regarding the restrictions placed on satellite antennas for business use.

As a growing national retailer, Builder Square, Inc. must deal with a myriad of local ordinances and restrictions when requesting authorization to install VSAT antennas at our new store locations.


At the present time Builders Square has approximately 175 locations communicating via VSAT, and consider it to be our lifeline. When local restriction prohibit or delay our VSAT installations, it has a tremendously negative impact on our business.

We are often forced to await consideration from local governing parties, during which time we must deal with a logistical nightmare in order to receive merchandise in our stores. Without the benefit of inventory control, which is typically transmitted via our VSAT network, we have to resort to alternative methods of data transmittal. When we are denied the opportunity to install our VSAT hardware, it is very costly, time consuming, and cumbersome.

One concern I have is the issue of enforcement and how the municipalities will interpret the strengthened pre-emption ruling. I understand it to mean that businesses will be free to install antennas that are less than two meters in diameter without having to comply with local regulations. Further, that it would be the task of the local government to persuade the FCC if it has an extraordinary reason for which to regulate the installation of satellite antennas. This issue may require clarification in order to prevent misinterpretation.

Your time and consideration in this matter are greatly appreciated.

Sincerely,

  
Wayne Morris  
Telecommunication Manager

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